

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Tuskawilla Middle School Rezone A-1 (Agriculture District) to PLI (Public Lands and Institutions District)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Matthew West **CONTACT:** Tina Deater **EXT.** 7440

Agenda Date 05/05/04 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. Recommend APPROVAL of the request for rezoning from A-1 (Agriculture District) to PLI (Public Lands and Institutions District) of approximately 19.16 acres, located on the east side of Tuskawilla Road, approximately 330 feet north of Misty Way (Dianne Kramer, applicant); or
2. Recommend DENIAL of the request for rezoning from A-1 (Agriculture District) to PLI (Public Lands and Institutions District) of approximately 19.16 acres, located on the east side of Tuskawilla Road, approximately 330 feet north of Misty Way (Dianne Kramer, applicant); or
3. CONTINUE the public hearing until a time and date certain.

District 1 – Commissioner Maloy

Tina Deater, Senior Planner

BACKGROUND:

Dianne Kramer, authorized representative of the Seminole County School Board, requests rezoning from A-1 (Agriculture District) to PLI (Public Lands and Institutions District) on the subject property. The School Board is in the process of expanding Tuskawilla Middle School, which has existed on the subject property for approximately 30 years. Currently, the school property is zoned A-1 (Agriculture District). Ordinance 93-1, adopted on February 23, 1993, changed middle schools from a permitted to a special exception use in the A-1 zoning district. Rezoning to PLI would restore the middle school to its permitted use status and would eliminate the need for special exception approval each time the school makes improvements. The future land use designation for the property is PUB (Public) which allows the

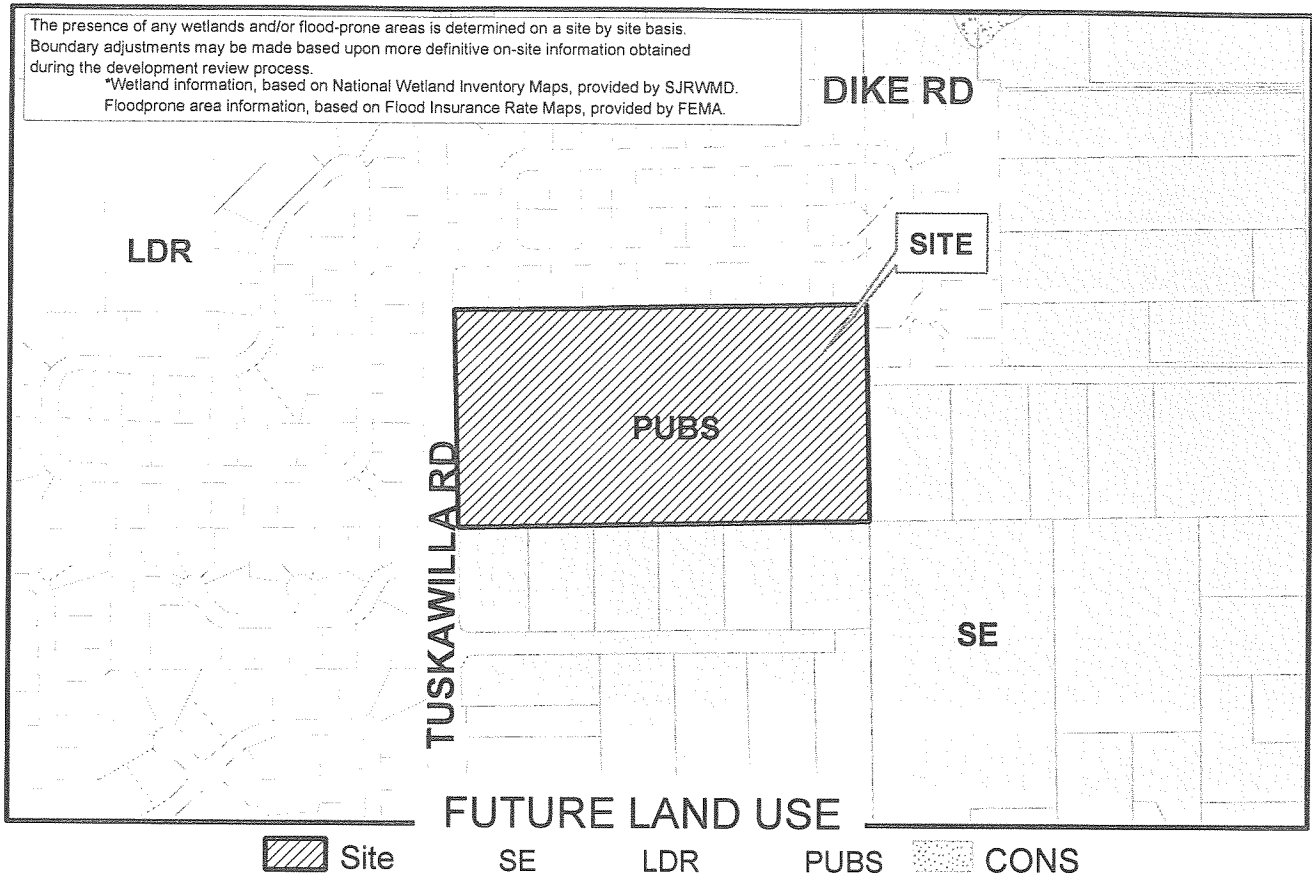
Reviewed by: _____
Co Atty: KZC
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No. Z2004-024

proposed PLI (Public Lands and Institutions) zoning classification.

STAFF RECOMMENDATION:

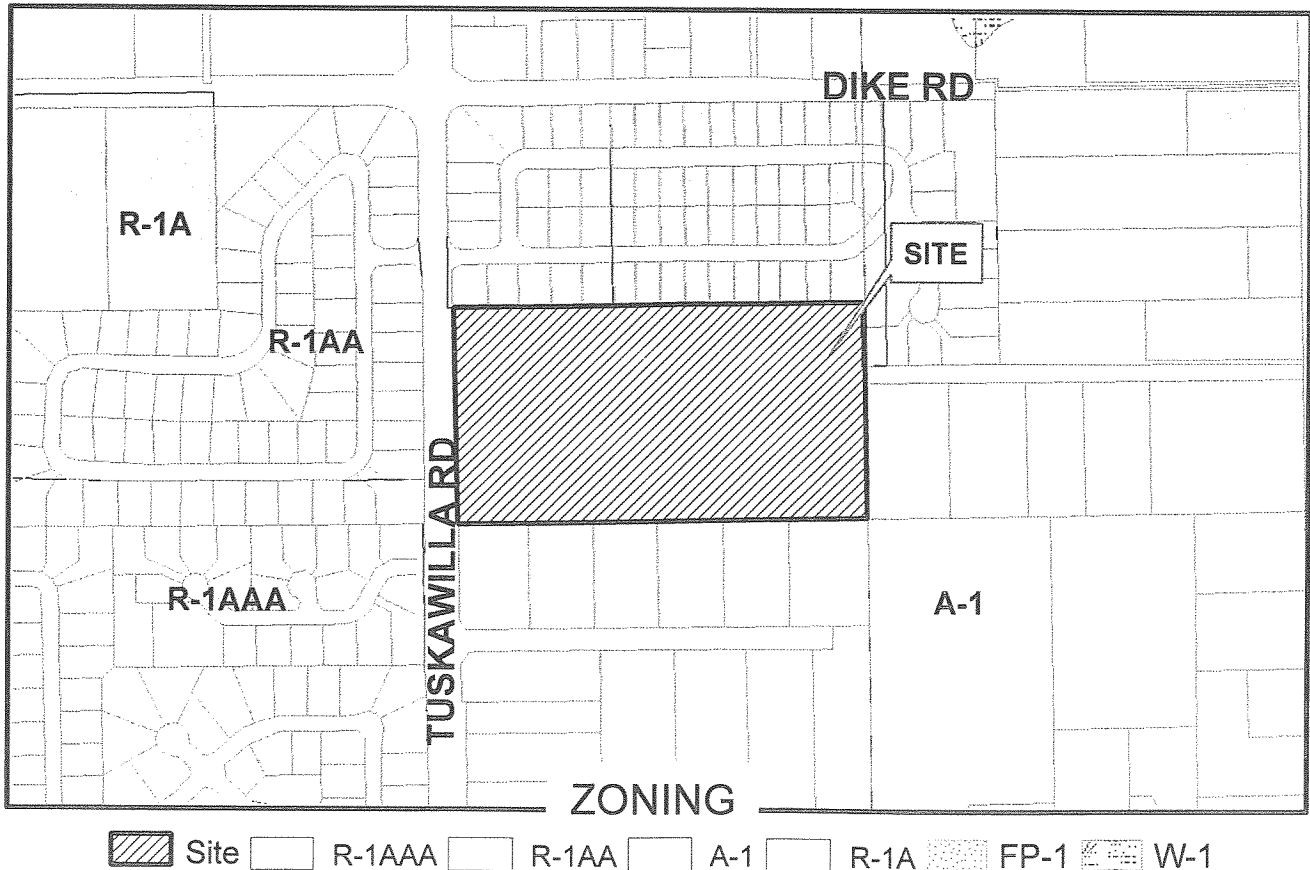
Staff recommends APPROVAL of the proposed rezoning from A-1 to PLI.

The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Applicant: Dianne L. Kramer
 Physical STR: 25-21-30-300-0160-0000
 Gross Acres: +/- 19 BCC District: 1
 Existing Use: School
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2004-024	A-1	PLI





Rezone No: Z2004-024

From: A-1 To: PLI



Parcel



Subject Property



February 1999 Color Aerials

Tuskawilla Middle School Rezone A-1 (Agriculture District) to PLI (Public Lands and Institutions District)

REQUEST INFORMATION		
APPLICANT	Dianne Kramer, Seminole County School Board	
PROPERTY OWNER	Seminole County School Board	
REQUEST	Rezoning from A-1 (Agriculture District) to PLI (Public Lands and Institutions District)	
HEARING DATE (S)	P&Z: May 5, 2004	BCC: May 25, 2004
PARCEL ID	25-21-30-300-0160-0000	
LOCATION	Located on the east side of Tuskawilla Road, approximately 330 feet north of Misty Way	
FUTURE LAND USE	Public	
FILE NUMBER	Z2004-024	
COMMISSION DISTRICT	#1 – Maloy	

OVERVIEW

Zoning Request: Dianne Kramer, authorized representative of the Seminole County School Board, requests rezoning from A-1 (Agriculture District) to PLI (Public Lands and Institutions District) on the subject property. The School Board is in the process of expanding Tuskawilla Middle School, which has existed on the subject property for approximately 30 years. Currently, the school property is zoned A-1 (Agriculture District). Ordinance 93-1, adopted on February 23, 1993, changed middle schools from a permitted to a special exception use in the A-1 zoning district. Rezoning to PLI would restore the middle school to its permitted use status and would eliminate the need for special exception approval each time the school makes improvements. The future land use designation for the property is PUB (Public) which allows the proposed PLI (Public Lands and Institutions) zoning classification.

The subject parcel is surrounded by residential lots zoned R-1A, R-1AA and R-1AAA to the north, east and west, and A-1 zoning to the south.

Existing Land Uses:

	EXISTING ZONING	FUTURE LAND USE	CURRENT USE
SITE	A-1 (Agriculture District)	Public	School
NORTH	R-1AA and R-1A (Single-Family Dwelling Districts)	Low Density Residential	Single-family
SOUTH	A-1 (Agriculture District)	Suburban Estates	Single-family
EAST	R-1AA (Single-Family Dwelling District) and A-1 (Agriculture District)	Low Density Residential and Suburban Estates	Single-family
WEST	R-1AA and R-1AAA (Single-Family Dwelling Districts)	Low Density Residential	Single-family

For more detailed information regarding zoning and land use, please refer to the attached map.

SITE ANALYSIS

Facilities and Services:

The proposed zoning is consistent with the adopted future land use designation of PUB (Public) assigned to the property and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan.

Transportation / Traffic:

The site has an existing access on Tuskawilla Road. Tuskawilla Road is classified as a minor arterial and has an adopted level of service of "E". It is currently operating at a level of service of "B", based on daily traffic counts.

Compliance with Environmental Regulations:

There are no identified flood prone or wetland areas associated with this property.

Compatibility with Surrounding Development:

Currently, the surrounding area has Low Density Residential and Suburban Estates future land use designations. The proposed PLI zoning classification is allowed in both of these future land use categories, and therefore, the proposed zoning is compatible with the surrounding area.

STAFF RECOMMENDATION

Staff recommends approval of the proposed rezoning from A-1 to PLI, based on the following findings:

1. The proposed school use within the PLI zoning district would not be detrimental to the character of the area or neighborhood or inconsistent with the trends of development in the area; and
2. The uses within the proposed PLI zoning district would not have an unduly adverse effect on existing traffic patterns, movements and intensity; and
3. The proposed PLI zoning district is compatible with the concepts of its future land use designation of Public.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 ZONING CLASSIFICATION THE PLI ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled, "Tuskawilla Middle School Rezone A-1 (Agriculture District) to PLI (Public Lands and Institutions District)"

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from A-1 to PLI:

SEE ATTACHED EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective upon filing by the Department.

ENACTED this 25th day of May, 2004.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Daryl G. McLain
Chairman

EXHIBIT A LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND BEING THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 21 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA, LESS THE RIGHT-OF-WAY OF TUSKAWILLA ROAD; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SECTION 25, TOWNSHIP 21 SOUTH, RANGE 30 EAST; THENCE S89°37'08"W ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 25, AND ALONG THE NORTH LINE OF BEN-VIE SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 17, PAGE 64 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, A DISTANCE OF 1258.55 FEET TO A POINT ON A CURVE OF THE EASTERLY RIGHT-OF-WAY LINE OF TUSKAWILLA ROAD, AS SHOWN ON SEMINOLE COUNTY ENGINEERING DEPARTMENT RIGHT-OF-WAY MAP, PROJECT NO. PS-041; THENCE 51.98 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE, ALONG THE ARC OF A CURVE, CONCAVE TO THE WEST, HAVING A DELTA ANGLE OF 00°07'45", A RADIUS OF 23,034.80 FEET, A CHORD BEARING OF N01°23'51"W AND A CHORD OF 51.98 FEET TO A POINT OF TANGENCY; THENCE N01°27'44"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 610.44 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 25; SAID NORTH LINE BEING COINCIDENT WITH THE SOUTH LINE OF TIFFANY WOODS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 28, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE N89°39'19"E, ALONG SAID NORTH LINE, A DISTANCE OF 1283.92 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 25; THENCE S00°59'34"E ALONG SAID EAST LINE A DISTANCE OF 681.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 834,772 SQUARE FEET OR 19.164 ACRES MORE OR LESS